

EXHIBIT 3
FILED UNDER SEAL

<p>1 and I would believe you. I don't really know for 2 Android. 3 BY MR. PAK: 4 Q For iOS, was there a migration that happened 5 from Cast V2 to Cast V3? 10:49:01 6 A For iOS, there was. 7 Q Do you know when that migration was 8 completed? 9 A Probably -- roughly, I could probably think 10 about it, yeah. So maybe -- like I don't -- how 10:49:32 11 about this? This work was done for iOS. I don't 12 know specifically when. But this work was done for 13 iOS. 14 Q Do you know the general time frame of when it 15 might have been completed? 10:50:13 16 A I'm a little hesitant because I don't really 17 know exactly when. 18 Q Do you know what year? 19 A Like, I'm not even sure about that, honestly. 20 I would have to look. I could look somewhere and 10:50:41 21 find out. I don't know. But I can tell you that 22 this was done for iOS. I can't tell you with 23 confidence when. 24 Q Did the migration from Cast V2 to Cast V3 -- 25 scratch that. 10:51:06</p> <p>Page 58</p>	<p>1 A Again, this is -- it's kind of overloaded. A 2 little less overloaded than most. But in the 3 concept of the Living Room ecosystem, Kabuki is 4 generally the term that is used to describe the 5 YouTube app that runs on television. And I say 10:53:11 6 generally because sometimes people -- sometimes 7 people don't understand that there's a distinction 8 between the binaries that we saw in the other 9 slides. And they call everything Kabuki. So that's 10 why I say, like, generally. But I understand it to 10:53:30 11 mean a single binary that runs on television. 12 Q So I want to look at the same slide we've 13 been looking at, PDF page 7 of Exhibit 25. That 14 diagram. 15 A So I'm there. 10:53:59 16 Q Do you know what cast SDK version is running 17 on the cast receiver devices? 18 A That, I don't know, no. No, I don't know 19 that at all. 20 Q Was there a migration that happened from Cast 10:54:28 21 V2 to Cast V3 on the receiver side as well? 22 MR. KAPLAN: Object to form. Speculation. 23 THE WITNESS: I don't know. I can say not 24 that I was aware of, not that I'm aware of. But I 25 don't know. 10:54:50</p> <p>Page 60</p>
<p>1 Has the migration been completed to migrate 2 from Cast V2 to Cast V3 for all YouTube iOS apps? 3 A Could you say that one more time, please? 4 Q Has the migration from Cast V2 to Cast V3 5 been completed for all YouTube iOS apps? 10:51:32 6 A Yes, I believe that's true. 7 MR. KAPLAN: Jae, you're starting to get just 8 a little bit garbled. I can still hear you and I 9 think the witness can. I'm just letting you know 10 it's getting a little bit worse. 10:51:47 11 MR. PAK: I appreciate it. I think it's when 12 I lean back. 13 BY MR. PAK: 14 Q Do you know if that migration was completed 15 in the past year? 10:52:00 16 A It was completed -- how do I -- no, it wasn't 17 completed in the last year. 18 Q So it was completed sometime before this 19 year; is that right? 20 A That's correct. 10:52:23 21 Q I want to go back to Exhibit 25. 22 A I'm opening it now. 23 Okay, it's open. 24 Q Before I get to this, do you know what Kabuki 25 means? 10:52:49</p> <p>Page 59</p>	<p>1 BY MR. PAK: 2 Q Do you know if a cast sender has to run the 3 same cast SDK version as the cast receiver? 4 A I don't know. But based on -- but I don't 5 believe it does. And I don't believe it does based 10:55:21 6 on -- I don't believe it does based on my 7 understanding -- based on the fact that iOS 8 migration I know has happened. The Android 9 migration, I don't know if it's happened and things 10 still work. So I would assume if the receiver 10:55:48 11 version needed to be the same, then the migration of 12 both -- of all senders needed to occur at the same 13 time. So based on that -- I don't know for certain, 14 but I believe the answer is no. 15 Maybe at this point I'll say as a caveat, 10:56:09 16 like, we at YouTube, the work I do on iOS, like, we 17 don't use the full or even most of the cast 18 ecosystem when -- when you read about cast. And so 19 we only really use cast for discovery and nothing 20 else. 10:56:35 21 So the question you're asking may be true for 22 someone else. And I don't know, like, but we don't 23 use the full cast ecosystem. And so I don't -- 24 talking through this, it sure seems like it's not 25 true for us. 10:56:59</p> <p>Page 61</p>

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<p>1 MR. KAPLAN: I'll give you the same caution.</p> <p>2 THE WITNESS: I'm -- that's not a -- that's</p> <p>3 not a domain in the code where I spend time. So,</p> <p>4 like, I'm not well versed in that side of the</p> <p>5 communication channel. 01:41:42</p> <p>6 BY MR. PAK:</p> <p>7 Q So is it fair to say you're unfamiliar with</p> <p>8 any messaging that is exchanged between the MDX</p> <p>9 session server and the cast receiver?</p> <p>10 A Yes. 01:41:52</p> <p>11 MR. PAK: Okay. I have no further questions.</p> <p>12 MR. KAPLAN: Okay. Can we take a quick</p> <p>13 break? I'd just like to check my notes. I may have</p> <p>14 a few.</p> <p>15 MR. PAK: Sure. 01:42:13</p> <p>16 THE VIDEOGRAPHER: Going off the record. The</p> <p>17 time is 1:42.</p> <p>18 (Recess.)</p> <p>19 THE VIDEOGRAPHER: We're back on the record</p> <p>20 the time is 1:49. 01:49:40</p> <p>21</p> <p>22 EXAMINATION</p> <p>23 BY MR. KAPLAN:</p> <p>24 Q Mr. Mills, I just have a few questions for</p> <p>25 you.</p> <p style="text-align: right;">Page 122</p>	<p>1 Q Did you write that?</p> <p>2 A Yes.</p> <p>3 Q You said in this paragraph that:</p> <p>4 "Chaoren told me this can happen</p> <p>5 in regards to a receiver retaining a 01:51:14</p> <p>6 local version of the remote queue."</p> <p>7 Do you see that?</p> <p>8 MR. PAK: Objection. Vague. Out of scope.</p> <p>9 THE WITNESS: I see that, yes.</p> <p>10 BY MR. KAPLAN: 01:51:24</p> <p>11 Q Is that statement accurate?</p> <p>12 MR. PAK: Objection. Out of scope.</p> <p>13 THE WITNESS: No.</p> <p>14 BY MR. KAPLAN:</p> <p>15 Q Why isn't that statement accurate? 01:51:32</p> <p>16 A Because --</p> <p>17 MR. PAK: Objection. Leading. Out of scope.</p> <p>18 THE WITNESS: Because receivers don't retain</p> <p>19 a local version of the remote queue.</p> <p>20 BY MR. KAPLAN: 01:51:44</p> <p>21 Q Do you recall why you wrote this in the</p> <p>22 e-mail?</p> <p>23 MR. PAK: Objection. Calls for speculation.</p> <p>24 Out of scope.</p> <p>25 THE WITNESS: Yes, I remember why. 01:51:53</p> <p style="text-align: right;">Page 124</p>
<p>1 Could you open up Exhibit 1040, which I just</p> <p>2 entered into the exhibits folder.</p> <p>3 A Okay. Opening it. It's open.</p> <p>4 (Exhibit 1040 was marked for identification</p> <p>5 electronically and is attached hereto.) 01:50:12</p> <p>6 BY MR. KAPLAN:</p> <p>7 Q Do you recognize Exhibit 1040 as an e-mail</p> <p>8 chain between you and others at Google?</p> <p>9 MR. PAK: Objection to form. Out of scope.</p> <p>10 THE WITNESS: Yes. 01:50:27</p> <p>11 BY MR. KAPLAN:</p> <p>12 Q If you could please turn to the second page</p> <p>13 of Exhibit 1040.</p> <p>14 MR. PAK: Marc, I don't want to intrude here,</p> <p>15 but I never introduced this during my deposition. I 01:50:43</p> <p>16 just want to note that it's completely out of scope.</p> <p>17 MR. KAPLAN: You can object.</p> <p>18 BY MR. KAPLAN:</p> <p>19 Q That second to last paragraph in Exhibit 1040</p> <p>20 begins: 01:50:54</p> <p>21 "Second, it may have to do with</p> <p>22 the fact that receivers can retain a</p> <p>23 local version of the remote queue."</p> <p>24 Do you see that?</p> <p>25 A I see that. 01:51:01</p> <p style="text-align: right;">Page 123</p>	<p>1 BY MR. KAPLAN:</p> <p>2 Q Why was that?</p> <p>3 A I had remembered Chaoren saying that the</p> <p>4 remote queue can be stored, and so this was -- this</p> <p>5 thread was, hey, how can -- what could the cause of 01:52:09</p> <p>6 a bug be. And I was basically sharing what I had</p> <p>7 remembered, which was that the remote queue could be</p> <p>8 stored. But I was incorrect in where I said it</p> <p>9 could be stored.</p> <p>10 MR. PAK: Objection. Sorry. Objection. 01:52:27</p> <p>11 Hearsay.</p> <p>12 BY MR. KAPLAN:</p> <p>13 Q Do you know where the remote queue is stored?</p> <p>14 A Yes.</p> <p>15 MR. PAK: Objection. Leading. Out of scope. 01:52:34</p> <p>16 BY MR. KAPLAN:</p> <p>17 Q Where is it stored?</p> <p>18 A It's stored on the MDX servers.</p> <p>19 MR. PAK: Same objection.</p> <p>20 BY MR. KAPLAN: 01:52:45</p> <p>21 Q When you wrote that "receivers can retain a</p> <p>22 local version of the remote queue," was that based</p> <p>23 on your personal knowledge of the receiver</p> <p>24 operation?</p> <p>25 MR. PAK: Same objections. 01:52:55</p> <p style="text-align: right;">Page 125</p>

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<p>1 THE WITNESS: No. I don't work on the</p> <p>2 receiver.</p> <p>3 BY MR. KAPLAN:</p> <p>4 Q When you wrote the e-mail, was it based on</p> <p>5 source code that you had reviewed? 01:53:02</p> <p>6 MR. PAK: Same objections.</p> <p>7 THE WITNESS: No.</p> <p>8 BY MR. KAPLAN:</p> <p>9 Q Was it based on documents that you had</p> <p>10 reviewed? 01:53:09</p> <p>11 MR. PAK: Same objections.</p> <p>12 THE WITNESS: No.</p> <p>13 BY MR. KAPLAN:</p> <p>14 Q Just one last question.</p> <p>15 The last sentence of the paragraph that we 01:53:14</p> <p>16 were referring to reads:</p> <p>17 "It sounds like the queue is</p> <p>18 intentionally retained to guard</p> <p>19 against flaky networks, but may be</p> <p>20 retained for too long if the receiver 01:53:25</p> <p>21 isn't given the correct signal."</p> <p>22 Do you see that?</p> <p>23 MR. PAK: Same objections. Calls for</p> <p>24 speculation.</p> <p>25 THE WITNESS: Yes, I see that. 01:53:33</p> <p style="text-align: right;">Page 126</p>	<p>1 marked as Exhibit 1040 yesterday?</p> <p>2 MR. KAPLAN: I'm going to object as it calls</p> <p>3 for attorney-client privileged information and</p> <p>4 instruct the witness not to answer that.</p> <p>5 BY MR. PAK: 01:55:09</p> <p>6 Q It's just a yes or no question. Have you</p> <p>7 seen this document marked as Exhibit 1040 yesterday?</p> <p>8 MR. KAPLAN: Yeah, it sounds like you're</p> <p>9 asking for preparation materials, and so the</p> <p>10 answer -- the instruction is going to be don't 01:55:20</p> <p>11 reveal -- the instruction is going to be don't</p> <p>12 answer that question because it reveals the contents</p> <p>13 of attorney-client privileged communications.</p> <p>14 MR. PAK: It's a yes or no question as to</p> <p>15 whether the witness has looked at this document. 01:55:35</p> <p>16 It's a yes or no. How is that privileged?</p> <p>17 MR. KAPLAN: Because it would show the</p> <p>18 contents of an attorney-client communication between</p> <p>19 counsel and the witness.</p> <p>20 BY MR. PAK: 01:55:47</p> <p>21 Q Did this e-mail refresh your recollection?</p> <p>22 MR. KAPLAN: You can answer that question.</p> <p>23 THE WITNESS: Did this e-mail refresh my</p> <p>24 recollection?</p> <p>25 ////</p> <p style="text-align: right;">Page 128</p>
<p>1 BY MR. KAPLAN:</p> <p>2 Q Was the queue retained at the receiver at the</p> <p>3 time you wrote that?</p> <p>4 MR. PAK: Same objection.</p> <p>5 THE WITNESS: No, it was not. 01:53:43</p> <p>6 MR. KAPLAN: Pass the witness.</p> <p>7 MR. PAK: Let me see if I want to redirect</p> <p>8 here.</p> <p>9</p> <p>10 FURTHER EXAMINATION</p> <p>11 BY MR. PAK:</p> <p>12 Q So during any of these breaks, have you</p> <p>13 talked to Mr. Marc Kaplan?</p> <p>14 A Yes.</p> <p>15 Q Did you talk to anyone else? 01:54:13</p> <p>16 A Libbie.</p> <p>17 Q Do you -- is that Libbie DiMarco?</p> <p>18 A Libbie DiMarco.</p> <p>19 Q Did you talk about any of the substance of</p> <p>20 your testimony here today with Libbie or Marc? 01:54:38</p> <p>21 A No.</p> <p>22 Q Did your discussion with Marc or Libbie</p> <p>23 impact or affect your testimony here today?</p> <p>24 A No.</p> <p>25 Q Have you been shown this specific e-mail 01:54:54</p> <p style="text-align: right;">Page 127</p>	<p>1 BY MR. PAK:</p> <p>2 Q Let me rephrase.</p> <p>3 Did this e-mail refresh your recollection</p> <p>4 yesterday?</p> <p>5 MR. KAPLAN: Can you rephrase that in a way 01:56:08</p> <p>6 that, you know, isn't revealing attorney-client</p> <p>7 communications?</p> <p>8 I'm not sure I can let him answer the</p> <p>9 question the way the question is phrased. I think</p> <p>10 you can ask it in a way that would not reveal 01:56:24</p> <p>11 attorney-client communications.</p> <p>12 BY MR. PAK:</p> <p>13 Q When was the first time you looked at this</p> <p>14 document?</p> <p>15 MR. KAPLAN: Are you asking about the e-mail 01:56:38</p> <p>16 or the document?</p> <p>17 MR. PAK: The document.</p> <p>18 MR. KAPLAN: I mean, I'm sorry to interrupt</p> <p>19 your examination, but the proper question here for</p> <p>20 materials reviewed by the witness in preparation for 01:56:58</p> <p>21 the deposition is whether or not they were shown</p> <p>22 materials to refresh their recollection. So I'll</p> <p>23 let him answer that question.</p> <p>24 But if you're trying to get at materials that</p> <p>25 we prepared the witness with in a different way, I</p> <p style="text-align: right;">Page 129</p>